



COALITION FOR PRACTICAL REGULATION

ITEM 4

February 2, 2005 Workshop/Board Meeting

Hrd cys: Board, DI, DWQ

E-mail to: Bd, CC, KS, HMS, TH, etc.

Via Fax and U.S. Mail

January 25, 2005

Debbie Irvin, Clerk to the Board
Executive Office
State Water Resources Control Board
1001 "I" Street, 24th Floor
Sacramento, CA 95814

Re: Draft Functional Equivalent Document (FED) and Proposed Revisions to the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP)

Dear Ms. Irvin and Members of the Board:

I am writing on behalf of the Coalition for Practical Regulation (CPR) to provide comments on the Draft Functional Equivalent Document (FED) for the Proposed Revisions to the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP) and on the red-line strike-out draft of the proposed revisions to the SIP. CPR is an ad-hoc group of 43 cities within Los Angeles County that have come together to address water quality issues.

CPR's comments relate to the third of the three issues listed in the Notice of Public Hearing, the clean-up of non-regulatory language. We are extremely disappointed that staff chose to disregard the comments in our letter of November 15, 2004 and the comments of our consultant at the November 12, 2004 Scoping Meeting concerning an important item that has not yet been "cleaned-up" properly. Footnote 1 of the Introduction to the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (SIP) states, in part, "This Policy does not apply to regulation of stormwater discharges." The proposed changes, intended to clarify that the SIP does not apply to nonpoint sources nor to stormwater, do not sufficiently clarify the situation. The only change related to stormwater is the addition of a citation to Order WQ 2001-15. Unless revised further, one interpretation of current language would require additional economic and environmental analysis by the State Board.

The current lack of clarity is recognized in the Draft FED, which states on page 31,

ARCADIA
ARTESIA
BALDWIN PARK
BELL
BELLFLOWER
BELL GARDENS
BRADBURY
CERRITOS
COMMERCE
COMPTON
COVINA
DIAMOND BAR
DOWNEY
GARDENA
HAWAIIAN GARDENS
INDUSTRY
IRVINDALE
LA CAÑADA FLINTRIDGE
LA MIRADA
LAKEWOOD
LAWDALE
MONEOIA
MONTEBELLO
MONTEREY PARK
NORWALK
PALOS VERDES ESTATES
PARAMOUNT
PICO RIVERA
POMONA
RANCHO PALOS VERDES
ROSEMEAD
SANTA FE SPRINGS
SAN GABRIEL
SIERRA MADRE
SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
SOUTH PASADENA
TEMPLE CITY
VERNON
WALNUT
WEST COVINA
WHITTIER